

AMENDED IN SENATE AUGUST 18, 2010

AMENDED IN SENATE AUGUST 17, 2010

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2345**

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**Introduced by Assembly Member De La Torre**

February 19, 2010

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An act to add Section ~~1367.001~~ *1367.002* to the Health and Safety Code, and to add Section ~~10112.1~~ *10112.2* to the Insurance Code, relating to health care coverage.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2345, as amended, De La Torre. Health care coverage: preventive services.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms. With respect to plan years beginning on and after September 23, 2010, the act requires health insurance issuers to provide coverage, and not impose cost-sharing requirements, for certain preventive services.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful

violation of that act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance.

This bill would require health care service plan contracts and health insurance policies issued, amended, renewed, or delivered on or after September 23, 2010, to comply with the provisions of PPACA regarding coverage of, and cost-sharing for, preventive services and any rules or regulations issued pursuant to those provisions to the extent required under federal law. Because a willful violation of this requirement by a health care service plan would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section ~~1367.001~~ 1367.002 is added to the Health
- 2     and Safety Code, to read:
- 3     ~~1367.001.~~
- 4     1367.002. To the extent required by federal law, a group or
- 5     individual health care service plan contract issued, amended,
- 6     renewed, or delivered on or after September 23, 2010, shall comply
- 7     with Section 2713 of the federal Public Health Service Act (42
- 8     U.S.C. Sec. 300gg-13) and any rules or regulations issued under
- 9     that section.
- 10    SEC. 2. Section ~~10112.1~~ 10112.2 is added to the Insurance
- 11    Code, to read:
- 12    ~~10112.1.~~
- 13    10112.2. To the extent required under federal law, a group or
- 14    individual health insurance policy issued, amended, renewed, or
- 15    delivered on or after September 23, 2010, shall comply with
- 16    Section 2713 of the federal Public Health Service Act (42 U.S.C.
- 17    Sec. 300gg-13) and any rules or regulations issued under that
- 18    section.
- 19    SEC. 3. No reimbursement is required by this act pursuant to
- 20    Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school  
2 district will be incurred because this act creates a new crime or  
3 infraction, eliminates a crime or infraction, or changes the penalty  
4 for a crime or infraction, within the meaning of Section 17556 of  
5 the Government Code, or changes the definition of a crime within  
6 the meaning of Section 6 of Article XIII B of the California  
7 Constitution.

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